

**UNITED STATES v. NICHOLAS COSMO**  
**- CRIMINAL DOCKET #CR-09-0255, USAO #2008R01592**

Before the Honorable Denis R. Hurley, United States District Judge, Eastern District of New York, 930 Federal Plaza, Central Islip, New York.

On October 29, 2010, defendant **Nicholas Cosmo** **pled guilty** to one count each of mail fraud and wire fraud. **On October 14, 2011, Nicholas Cosmo was sentenced to 25 years imprisonment and was ordered to pay \$179 million in restitution to more than 4,000 victims.**

On August 26, 2010, **Richard Barry**, the former office manager of Agape World, Inc., entered a guilty plea to one count of conspiracy to commit wire and mail fraud in connection with the scheme involving Agape World's owner, defendant Nicholas Cosmo. **The sentencing of defendant Richard Barry, previously scheduled for October 5, 2012, has been adjourned. When a new date is scheduled, our office will inform you.**

**On April 25, 2012, a criminal complaint was unsealed in federal court in Central Islip charging JASON KERYC, ANTHONY MASSARO, ANTHONY CICCONE and DIANE KAYLOR, former account representatives of Agape World and Agape Merchant Advance, for their participation in a large-scale investment fraud scheme. The defendants' appeared before United States Magistrate Judge E. Thomas Boyle. Additional details will be provided through the Victim Notification System.**

**PREVIOUS UPDATES**

On April 25, 2012, a criminal complaint was unsealed in federal court in Central Islip charging JASON KERYC, ANTHONY MASSARO, ANTHONY CICCONE and DIANE KAYLOR, former account representatives of Agape World and Agape Merchant Advance, for their participation in a large-scale investment fraud scheme. The defendants' initial appearances are scheduled this afternoon before United States Magistrate Judge E. Thomas Boyle at the United States Federal Courthouse in Central Islip, New York.

Nicholas Cosmo, the owner and president of **Agape World, Inc.** and Agape Merchant Advance, LLC, was arrested on January 26, 2009 pursuant to a federal complaint charging him with mail fraud. On April 29, 2009, defendant Nicholas Cosmo was arraigned before the Hon. Magistrate Thomas Boyle and pleaded not guilty to a 32 count indictment charging mail fraud and wire fraud. After a detention hearing, Judge Boyle granted bail in the amount of \$750,000 secured by real property and money. The conditions of bail were home confinement with an electronic bracelet with 24 hour monitoring by pre-trial services. He is subject to random visits by probation and will only be able to leave the home for emergency medical issues. Any other requests to leave the home for any other purpose must be made in writing to the Court and requires prior approval of the Court. He is also not allowed internet access or allowed to transfer any assets. The government appealed this ruling regarding the amount of bail and on May 19, 2009 a bail hearing was held before Judge Hurley. On that date, Judge Hurley increased the bond

to \$1.25 million to be secured by three homes and several bank accounts of family members and friends. If the defendant meets the bail package requirements, he will be released on bond and will be subject to home confinement with an electronic bracelet with 24 hour monitoring. Special conditions were set which included random visits to the home by pre-trial services, no internet access, no outside employment, conduct no business within the home that requires and fiduciary responsibilities and the defendant will only be permitted to leave the home for medical emergencies. All other requests to leave the place of home detention must be pre-approved by pre-trial services. Defendant will meet with his attorney at the place of home detention or at the federal courthouse. If the defendant leaves the house for court dates, he must be accompanied security personnel. As of May 22, 2009 the defendant was still incarcerated at the Nassau County Correctional Center. On July 23, 2009, the defendant was released on a \$1,250,000.00 secured appearance bond and is subject to home detention with electronic monitoring with the following conditions: No computer or internet access, 24-hour telephone monitoring by security company, unable to use cell phone or any other phone in residence, can only leave the place of home detention for court appearances and must be accompanied by a security guard from a security firm paid for by his family. Not allowed to perform any type of business from the home or to engage in any activity with a fiduciary responsibility. On September 25, 2009, the government made a bail application to have the defendant's bail revoked due to what it believes are violations of the bail conditions. On October 9, 2009, after a three-day bail revocation hearing, Judge Hurley ordered defendant Nicholas Cosmo to return to jail.

Individuals who believe that they may be victims of this charged fraud scheme, or who have relevant information, can contact the U.S. Postal Inspection Service at [PICinnamo@usps.gov](mailto:PICinnamo@usps.gov). **Please do not send loss information to the U.S. Attorney's Office. The following should be sent to Postal Inspector Cinnamo (address below) (1) name, (2) address, (3) telephone number, (4) email address, (5) proof of all initial investments (principal investments only - do not include rollover payments), (6) most recent statement, (7) copies of contracts, (8) amount of total interest payments received on principal investments and (9) the total loss amount by computing the amount of principal invested minus the interest payments received (do not include rollover payments in this figure).**

**Please mail to -  
Postal Inspector Cinnamo  
P.O. Box 160  
Hicksville, NY 11802**

**In addition it is imperative that you also send copies to the bankruptcy trustee.**

The bankruptcy trustee has established a website entitled [agapeworldbankruptcy.com](http://agapeworldbankruptcy.com) where investors can receive updated information and instructions on the bankruptcy action. Please follow the instructions that are on the bankruptcy trustee's claim form. The mailing address is also on the form. **All claims must be received by the trustee before June 18, 2009.**

The U.S. Attorney's Office is working closely with the bankruptcy trustee to ensure that the financial losses submitted by all victims is documented. In addition, the U.S. Attorney's Office has been working diligently in the forfeiture area and has frozen assets of the defendant and his

companies. The office has also greatly assisted the trustee in locating other assets of Agape World, Agape Merchant Advance and its subsidiary companies to ensure compensation to all victims.